

FACTSHEET
RULES TO DETERMINE RESIDENCY

The following are the rules that determine one's residency during an election, according to the Hawaii Revised Statutes §11-13:

- 1) *The residence of a person is that place in which that person's habitation is fixed, and to which, whenever the person is absent, the person has the intention to return;*
- 2) *A person does not gain residence in any precinct into which the person comes without the present intention of establishing the person's permanent dwelling place within such precinct;*
- 3) *If a person resides with the person's family in one place, and does business in another, the former is the person's place of residence; but any person having a family, who establishes the person's dwelling place other than with the person's family, with the intention of remaining there shall be considered a resident where the person has established such dwelling;*
- 4) *The mere intention to acquire a new residence without physical presence at such place, does not establish residency, neither does mere physical presence without the concurrent present intention to establish such place as the person's residence;*
- 5) *A person does not gain or lose a residence solely by reason of the person's presence or absence while employed in the service of the United States or of this State, or while a student of an institution of learning, or while kept in an institution or asylum, or while confined in a prison;*
- 6) *No member of the armed forces of the United States, the member's spouse or the member's dependent is a resident of this State solely by reason of being stationed in the State;*

- 7) *A person loses the person's residence in this State if the person votes in an election held in another state by absentee ballot or in person.*

This Factsheet is intended for informational purposes only and should not be used as an authority on the Hawaii election law and deadlines. Requirements and/or deadlines may change pending changes in legislation. Consult the Hawaii Revised Statutes and other sources for more detailed and accurate requirements.

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